



General Assembly

February Session, 2012

**Amendment**

LCO No. 5514

**\*HB0512005514HDO\***

Offered by:

REP. HURLBURT, 53<sup>rd</sup> Dist.  
REP. MINER, 66<sup>th</sup> Dist.  
SEN. MEYER, 12<sup>th</sup> Dist.  
REP. ROY, 119<sup>th</sup> Dist.  
REP. MILLER, 36<sup>th</sup> Dist.  
REP. MUSHINSKY, 85<sup>th</sup> Dist.

REP. FLEXER, 44<sup>th</sup> Dist.  
REP. KINER, 59<sup>th</sup> Dist.  
SEN. MAYNARD, 18<sup>th</sup> Dist.  
REP. ACKERT, 8<sup>th</sup> Dist.  
REP. CHAPIN, 67<sup>th</sup> Dist.  
REP. RIGBY, 63<sup>rd</sup> Dist.

To: Subst. House Bill No. 5120

File No. 380

Cal. No. 290

**"AN ACT CONCERNING HUNTING AND FISHING LICENSES, IMPROVING SAFE HUNTING EDUCATION, AMENDING DEFINITIONS FOR THE WILDLIFE DIVISION OF THE DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION AND ESTABLISHING A TASK FORCE TO STUDY WHETHER TO TRANSFER THE CONSERVATION FUNCTIONS OF SAID DEPARTMENT TO THE DEPARTMENT OF AGRICULTURE."**

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- 1 Strike section 6 and insert the following in lieu thereof:
- 2 "Sec. 6. (*Effective from passage*) (a) There is established a task force to
- 3 review, analyze and make recommendations concerning proposals to
- 4 improve programmatic efficiencies and avoid duplication and overlap
- 5 of authority in areas of the Department of Energy and Environmental
- 6 Protection's Bureau of Outdoor Resources, Bureau of Natural
- 7 Resources and the Department of Agriculture. Such review shall

8 identify strategies for improving the natural resources conservation  
9 functions of the state, including the development of a comparative  
10 analysis of reorganization proposals, a cost-benefit analysis for each  
11 such proposal and an evaluation of best practices in the management  
12 of the state's environmental conservation and environmental quality  
13 responsibilities. Such review shall include the consideration of public  
14 input solicited through public hearings or the submission of written  
15 testimony.

16 (b) The task force shall consist of the following members:

17 (1) One appointed by the speaker of the House of Representatives,  
18 who shall represent the forest and parks conservation organization;

19 (2) One appointed by the president pro tempore of the Senate, who  
20 shall be a representative of a farmland and land conservation  
21 organization;

22 (3) One appointed by the minority leader of the House of  
23 Representatives, who shall represent a hunting or fishing organization;

24 (4) One appointed by the minority leader of the Senate who shall  
25 represent an aquaculture organization;

26 (5) The Commissioner of Energy and Environmental Protection or  
27 the commissioner's designee;

28 (6) The Commissioner of Agriculture or the commissioner's  
29 designee;

30 (7) The Secretary of the Office of Policy and Management or the  
31 secretary's designee; and

32 (8) Two persons appointed by the Governor, one of whom shall  
33 represent an agriculture organization and one of whom shall represent  
34 a wildlife organization.

35 (c) All appointments to the task force shall be made not later than

36 thirty days after the effective date of this section. Any vacancy shall be  
37 filled by the appointing authority.

38 (d) The Secretary of the Office of Policy and Management, or the  
39 secretary's designee, shall be the chairperson of the task force. The  
40 secretary shall schedule the first meeting of the task force, which shall  
41 be held not later than sixty days after the effective date of this section.

42 (e) The administrative staff of the Office of Policy and Management  
43 shall serve as administrative staff of the task force. The task force shall  
44 be located in the executive branch for administrative purposes.

45 (f) Not later than December 1, 2012, the task force shall submit a  
46 report on its findings and recommendations to the joint standing  
47 committee of the General Assembly having cognizance of matters  
48 relating to the environment and agriculture, in accordance with the  
49 provisions of section 11-4a of the general statutes. The task force shall  
50 terminate on the date that it submits such report or December 1, 2012,  
51 whichever is later."

52 After the last section, add the following and renumber sections and  
53 internal references accordingly:

54 "Sec. 501. (NEW) (*Effective July 1, 2012*) (a) The court may, in the  
55 disposition of any case concerning an alleged violation of any  
56 provision of title 26 of the general statutes concerning hunting or  
57 inland waters fishing, including a dismissal or the imposition of a  
58 sentence, consider the fact that the defendant made a monetary  
59 contribution to the habitat restoration matching subaccount  
60 established in section 22a-27v of the general statutes, as amended by  
61 this act.

62 (b) In entering a nolle prosequi concerning an alleged violation  
63 described in subsection (a) of this section, the state's attorney, assistant  
64 state's attorney or deputy assistant state's attorney in charge of the case  
65 may consider the fact that the defendant made a monetary  
66 contribution to the habitat restoration matching subaccount

67 established in section 22a-27v of the general statutes, as amended by  
68 this act.

69 (c) A monetary contribution made by a defendant to the habitat  
70 restoration matching subaccount, as provided in this section, shall be  
71 paid to the Commissioner of Energy and Environmental Protection.  
72 The commissioner shall immediately transmit all contributions  
73 received under this section to the State Treasurer for deposit in the  
74 habitat restoration matching subaccount.

75 (d) Monetary contributions made pursuant to this section shall be  
76 expended by the Commissioner of Energy and Environmental  
77 Protection for the purposes outlined in subdivision (6) of subsection  
78 (d) of section 22a-27v of the general statutes, as amended by this act.

79 Sec. 502. (NEW) (*Effective July 1, 2012*) (a) The court may, in the  
80 disposition of any case concerning an alleged violation of any  
81 provision of title 26 of the general statutes concerning marine waters  
82 fishing, including a dismissal or the imposition of a sentence, consider  
83 the fact that the defendant has made a monetary contribution to the  
84 habitat restoration matching subaccount established in section 22a-27v  
85 of the general statutes, as amended by this act.

86 (b) In entering a nolle prosequi concerning an alleged violation  
87 described in subsection (a) of this section, the state's attorney, assistant  
88 state's attorney or deputy assistant state's attorney in charge of the case  
89 may consider the fact that the defendant has made a monetary  
90 contribution to the habitat restoration matching subaccount  
91 established in section 22a-27v of the general statutes, as amended by  
92 this act.

93 (c) A monetary contribution made by a defendant to the habitat  
94 restoration matching subaccount, as provided in this section, shall be  
95 paid to the Commissioner of Energy and Environmental Protection.  
96 The commissioner shall immediately transmit all contributions  
97 received under this section to the State Treasurer for deposit in the  
98 habitat restoration matching subaccount.

99 (d) Monetary contributions made pursuant to this section shall be  
100 expended by the Commissioner of Energy and Environmental  
101 Protection for the purposes outlined in subdivision (5) of subsection  
102 (d) of section 22a-27v of the general statutes, as amended by this act.

103 Sec. 503. Subsection (d) of section 22a-27v of the 2012 supplement to  
104 the general statutes is repealed and the following is substituted in lieu  
105 thereof (*Effective from passage*):

106 (d) Within the Long Island Sound account, there shall be a  
107 subaccount to be known as the "habitat restoration matching  
108 subaccount". The subaccount shall contain donations required to be  
109 deposited in the subaccount pursuant to section 14-21e. The  
110 subaccount may also contain moneys from public or private sources,  
111 or from the federal government or a municipal government. The  
112 subaccount shall be available to the Commissioner of Energy and  
113 Environmental Protection to: (1) Match federal and private habitat  
114 restoration and rehabilitation funds, (2) provide grants to  
115 municipalities and nonprofit organizations for habitat restoration and  
116 rehabilitation purposes within the Long Island Sound watershed, (3)  
117 complete wildlife habitat acquisition, enhancement and management  
118 projects, (4) promote public habitat restoration, rehabilitation and  
119 acquisition outreach within the Long Island Sound watershed, [and]  
120 (5) provide support to lobster fishermen adversely impacted by any  
121 regulatory action deemed necessary to rebuild the Long Island Sound  
122 lobster population, and (6) provide grants to the Turn-In-Poachers  
123 nonprofit organization and to staff the department's toll-free hotline  
124 that is used by persons to provide information on poaching and other  
125 fish and game law violations. Nothing in this section shall prevent the  
126 commissioner from obtaining or using funds from sources other than  
127 the subaccount for the restoration and rehabilitation of habitats within  
128 the Long Island Sound watershed."

<p>This act shall take effect as follows and shall amend the following sections:</p>
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Sec. 6	<i>from passage</i>	New section
Sec. 501	<i>July 1, 2012</i>	New section
Sec. 502	<i>July 1, 2012</i>	New section
Sec. 503	<i>from passage</i>	22a-27v(d)